

NOTES AND MEMORANDA

Population Union Assembly

THE second General Assembly of the International Union for the Scientific Investigation of Population Problems will be held in London from June 15th to 18th inclusive. With the exception of a reception which may be arranged elsewhere for the evening of the 14th, all the meetings will be held at the Royal Society of Arts, John Street, Adelphi, W.C.2. Foreigners and others who do not know London, would do best to go to the Tivoli cinema in the Strand, and then to ask their way: the Royal Society of Arts is next door to the Little Theatre, which is directly behind the Tivoli.

Much of the time will inevitably be devoted to the business affairs of the Union, but it is hoped that at least one day will be free for scientific papers and discussions. Such papers will be welcome, but they must first be endorsed by the Chairman of one of the Union's Commissions or National Committees. The Chairman of the British National Committee (the British Population Society) is Sir Bernard Mallet, but all communications should in the first instance be addressed to the Honorary Secretary—Eldon Moore, Eliot Vale House, Blackheath, Kent.

The Arrangements Committee for the Assembly consists of Captain G. H. Pitt-Rivers and Mr. Moore, to the latter of whom, again, all letters should be addressed on the subject of accommodation, times, and other details. Items for the agenda or scientific papers from other countries should be sent to the President—

Professor Raymond Pearl,
Institute for Biological Research,
1901 East Madison Street,
Baltimore,
Maryland, U.S.A.

But owing to the postal delay between England and America, Mr. Moore would be

glad to be informed at the same time of any such items or papers sent to the President.

Participation in the scientific section of the Assembly will not be confined to members of the Union, and scientific guests will be welcome. Where possible, however, they should first approach their own national committees, the British Population Society acting, for this purpose, for the whole of the Empire.

A preliminary meeting of the British Population Society will be held (by kind permission) at 3 o'clock on Wednesday, May 20th, at the rooms of the Linnean Society, Burlington House, Piccadilly, W.1.

Provision of Birth-Control Advice

WE are indebted to the Birth-Control International Information Centre for the news that since the publication of our last number the following local public health authorities have been added to the list of those actively supplying contraceptive advice in suitable cases:

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| Bethnal Green | Lincoln |
| Brighton | Manchester |
| Edmonton | Norwich |
| Gillingham | Portsmouth |
| Kensington | Worthing |

The following had previously taken advantage of the Ministry of Health's permission to give such advice:

| | |
|--------------------|--------------|
| Bath | Poplar |
| Beckenham | Rotherham |
| Exeter | Salford |
| Kingston-upon-Hull | Shoreditch |
| Leicester | Warwickshire |
| Oldham | |

Forty-nine other authorities have approved the general principle.

Since the above passages were written the Ministry of Health has issued a further memorandum on the subject. It scarcely does more than underline the cautionary clauses of the previous circular.

Maternity and child-welfare centres (including ante-natal centres) are warned that

they should not make a practice of giving contraceptive advice, except in "*cases where further pregnancy would be detrimental to health*," since the Government considers that it would interfere with their proper functions.

The italics are those of the memorandum, and the same italicized phrase is twice repeated later—once where the Government rules that, in view of "the acute division of public opinion," local authorities have not the power to establish birth-control clinics, pure and simple; and again where the powers of gynaecological centres are limited to the assisting of women who are married and sick.

The memorandum, in short, is a diplomatic concession to those more clamorous bodies which wish to interfere with the private concerns of others, while at the same time it leaves the position exactly where it was. Those local authorities and medical officers that wish to give contraceptive advice, will do so; and those that do not approve, will not.

The Birth-Control International Information Centre also sends the following announcement on activities in the United States :

"The National Committee on Federal Legislation, of which Margaret Sanger is President, has promoted a Bill in Congress. The Bill was introduced by Mr. Gillette, a United States Senator from Massachusetts. The Bill has been referred for a judicial hearing in Washington on February 13th. Among the Senators on the Committee are Senators Borah, Bratten, and Gillette.

"The Bill proposes to amend the Penal Laws concerning birth control, and if passed, will open the mails of the whole of the United States to books and letters dealing with birth control. This is the outcome of a nation-wide campaign throughout the States, directed by Margaret Sanger, to bring pressure to bear on the Federal Government, and the result, if favourable, will give a great impetus to birth-control work."

"Horrible Abuses"

THE above was one of several flaring headlines employed to describe California's "terrible" sterilization law in a recent issue of one of the more sensational English Sunday newspapers.

Since also the report was sent by the *Hollywood* correspondent—who, we presume, normally deals with the activities of film 'stars'—it scarcely needs to be taken seriously. But our readers may be glad to know the actual facts, just in case they encounter echoes of this report, which runs :

"Use of the Californian State Sterilization Law to rob delinquent girls of the privilege of motherhood has been vigorously attacked here following bitter complaints from two parents whose daughters—wayward, but not feeble-minded—were operated on by law after they had become unwed mothers at the age of sixteen.

"Charges that parents have been persuaded to consent to sterilization of their children by means of misrepresentation and undue influence of members of the State Probation Department have led Judge Samuel Blake, of the Superior Court, to hold a searching inquiry into the scandal."

Actually, the *Los Angeles Record*, a sensational evening newspaper which had been running a 'stunt' campaign against the sterilization law, took up the case of a sixteen-year-old girl, Concha Ruiz, who had borne an illegitimate child and whose intelligence quotient was 73 (anything below 70 is usually deemed strong evidence of feeble-mindedness, even in England: *sue* is a 'border-line' case). She was committed to the Sonoma State Home and later sterilized in the ordinary course of events, her mother having signed a written consent to the operation. The mental attainments of the family may be gathered from the mother's later statement in the *Record* that she thought she was signing a consent for Concha's marriage! (We have seen the form employed, and it could not possibly be

misunderstood by anyone who can read properly.)

Concha's return home, after the operation, was followed by her complaint, in the *Record*, that she could have no more children, and by a prolonged and much-illustrated campaign. Finally, the *Record* briefed a publicity-type lawyer, E. D. Martindale, who, besides instituting a series of actions against State officials, has been indignantly defending the cause of Liberty. The case is still *sub judice*; but we gather that it is unlikely to be carried in the Federal courts and, if there thrown out, still less likely to be successful in the State courts.

The English report from which we quote also contains some deliberately garbled extracts from sayings of supporters of the sterilization law. The report makes no further reference to the other girl.

Problems of the Family

THE Institute of Family Relations (U.S.A.) was founded a short time ago, mainly with eugenic aims, but generally to assist persons faced with any family problems. It now issues a report on its first 500 clients, who are thus classified:

| | | | |
|----------------------|-----|-----|-----|
| Educational | ... | ... | 146 |
| Family maladjustment | ... | ... | 129 |
| Miscellaneous | ... | ... | 79 |
| Pre-marital | ... | ... | 43 |
| Heredity | ... | ... | 35 |
| Sex problems | ... | ... | 31 |
| Child welfare | ... | ... | 30 |
| Legal | ... | ... | 7 |
| | | | — |
| | | | 500 |

The report continues: "We have grouped as 'educational contacts' the rapidly increasing number of persons who want information on some special subject: club women writing papers on eugenics, high-school girls involved in debates on heredity vs. environment, fathers seeking material for sex education of their sons, students needing bibliographies on various topics, and so on. These inquirers are always welcomed, as their needs can usually

be met without difficulty, and valuable educational material in the Institute's field is thus put in circulation."

The Institute's "Pre-Marital Conference" is thus described:

PURPOSE: 1.—PREVENTIVE. (a) To eliminate those who, because of mental or emotional defect, are not qualified to marry successfully.

(b) To eliminate those who, because of physical defect, are not qualified to marry successfully or, if married, to be successful parents. This may include:

1. Sterility.
2. Bad heredity.
3. Acute infectious disease.
4. Chronic disease, defect, or abnormality.
5. Structural defect preventing normal childbirth.

2.—CONDUCTIVE. (a) To encourage the removal of existing defects, whether physical or mental, thus diminishing the probability of unwise postponement of childbearing, sterility, abortion, dyspareunia, vaginismus, difficult labour, frigidity, adultery, and divorce.

(b) To provide the essentials of an education for successful co-operation in marriage, on the part of those who are about to wed; or of intelligent selection and successful attraction of a mate, on the part of those who have not yet chosen life-partners.

American Eugenic Research

THE Eugenics Research Association of the United States announces that it is undertaking a study of the social conditions affecting the differential natural increase of the various population groups. The first step is to be a critical survey of the data by a committee under the chairmanship of Mr. Frederick Osborn, Treasurer of the Association. It is expected that this will be published early next year, and will thereupon be followed by fresh research.

The Association adds that it would be grateful for notice of new research, completed or in progress; and letters should be addressed to:

The Eugenics Research Survey,
American Museum of Natural History,
West 77th Street,
New York City, U.S.A.

Eugenics in Czecho-Slovakia

It is interesting to hear that at a conference at Praha in February the women's section of the Social-Democrats passed a resolution in favour of the eugenic control of the population :

"All economic, social, and health policies should be penetrated by the appreciation of the importance of quality," as distinct from quantity. The resolution also advocates compulsory medical examination of marriage; the inculcation of voluntary and responsible parenthood, combined with the provision of free contraceptive advice; compulsory sterilization of those likely to produce a defective posterity; and the legalization, on "social or eugenic indications," of abortion.

It appears that the Czecho-Slovakian Ministry of Health has appealed to local authorities and social agencies to establish eugenic advisory centres.

A Birth-Control Celebration

ON St. Patrick's Day (March 17th) a dinner was given at the Ritz Hotel to celebrate the decade of the founding of the first birth-control clinic in the Empire. Dr. Marie Stopes (President), as hostess for the Society for Constructive Birth Control, was in the chair, and the speakers included Sir Anthony Hope Hawkins, Mrs. Laura Henderson, Sir Arbuthnot Lane, Dr. Leunbach of Copenhagen, Mr. David Low, Professor Malinowski, Miss Maude Royden, and Dr. Mather Thomson. The dinner, which was followed by a dance, was attended by over 150 guests, including representatives of anthropology, biology, birth control, eugenics, population, and general science.

Dr. Marie Stopes, in her short speech, attacked the belief that her movement was solely one to restrict the number of births. She laid great stress, instead, upon the constructive aspects and emphasized that the phrase was *birth control*, not *birth restriction*. Her aim and that of her Society was to cure sterility and to encourage the birth of desirable children, just as much as to

space confinements or to prevent the appearance of dysgenic babies. Their ideal was eugenic, and they looked to contraception to give us the choice of our future citizens.

Elections to the Society

THE following have been elected Fellows (starred) and Members of the *Eugenics Society* during the past quarter :

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|------------------------|------------------------|
| The Revd. | Dr. E. S. Litteljohn |
| P. J. Andrews, D.D. | J. M. Mackintosh, Esq. |
| Mrs. Armitage | *The Revd. |
| *Dr. J. R. Baker | H. D. A. Major, D.D. |
| *Mrs. J. R. Baker | *Brigadier-General |
| *Major-General | Ernest Makins |
| H. J. K. Bamfield | Dr. Caroline Maule |
| *A. R. Bellamy, Esq. | K. Miller-Jones, Esq. |
| *S. Berman, Esq. | Henry Newman, Esq. |
| Mrs. Berryman | *D. C. Norris, Esq. |
| G. C. L. Bertram, Esq. | Jesse Quitman, Esq. |
| Cecil Binney, Esq. | The Revd. |
| Mrs. Blacker | C. I. Radford |
| The Revd. | Mrs. Frank Raikes |
| E. P. Boys-Smith | Mrs. Rhodes |
| The Lady Camrose | Miss M. F. Sanders |
| C. F. Chance, Esq. | *A. W. Sikes, Esq. |
| Mrs. Alec Coryton | Mrs. Gilchrist |
| J. C. Cross, Esq. | Thompson |
| Miss K. F. Davis | R. D. Thompson, Esq. |
| *Dr. W. Norwood East | Miss E. R. Thornton |
| *Mrs. Horace | C. S. Turnadge, Esq. |
| Farquharson | Miss G. M. Turner |
| *Mrs. M. G. Farrer | Cecil W. Usher, Esq. |
| Mrs. Foljambe | J. H. Milnes Walker, |
| Miss D. M. Ford | Esq. |
| *E. B. Ford, Esq. | G. Wathen, Esq., |
| Miss G. M. Hall | C.I.E. |
| *Mrs. Hartree | W. I. Willett, Esq. |
| *J. N. Hatch, Esq. | |
| *Syed Hedayetullah, | |
| Esq. | |

Coming Events

THE summer school of the British Social Hygiene Council will be held this year at St. Hugh's College, Oxford, from July 29th to August 5th. The study programme, which at the moment of our going to press is subject to revision, includes :

COURSE 1.—*Biology and Human Life*: four lectures by Professor Sir J. Arthur Thomson.

COURSE 2.—*The Physiology of Adolescence*; two lectures by Professor Winifred Cullis and Dr. Israel Feldman.

COURSE 3.—*Contributions of Psychology to the Problems of Social Hygiene*; a

series of lectures by Professor Cyril Burt and Dr. William Brown.

The subjects for the evening meetings, each to be followed by a discussion, will be :

Preparation for Marriage.

Social Hygiene and the Churches.

What is the Reply to Modern Youth ?

The Problem of Prostitution.

The Present Opportunity for the Review of Venereal Disease Schemes.

The school will be preceded by the Imperial Social Hygiene Congress, which will take place in London between July 14th and 19th. Full details of both events can be obtained from the British Social Hygiene Council, Carteret House, Carteret Street, London, S.W.1.

Sterilization of Poor Patients

THE following case should be of interest as illustrating the fact that in regard to eugenic sterilization the law, as at present interpreted, discriminates against the poor.

Following upon an article by Professor Julian Huxley which appeared in the *Daily Mail* of November 27th, 1930, I received from a correspondent who wishes to remain anonymous the following letter :

Will you kindly send me your pamphlet on Sterilization as per note at the end of Professor Julian Huxley's enlightening article. I am unfortunately one of the victims waiting for legislation on this vital subject. I am suffering from congenital deformity of both hands and both feet. As far as history goes, as far back as could be traced on both my father's and mother's side, there was no record of any deformity at all. Being able to work and earning sufficient to support a wife, I married on the assurance of a medical man that I need not fear my deformity being transmitted. I had three children, girls, by the first wife, all perfectly formed. I have three by the second wife, all girls, the first two perfectly normal, the latest, twelve weeks old, deformed in almost the same manner as myself. I am anxious and willing to undergo any operation in order that there shall never be any danger of another child coming into the world handicapped as I am. Can you tell me if it is possible to undergo this operation anywhere in England? We are filled with anxieties. You may make

any use you like of this letter with the exception of name and address.

In a further letter the following passages occur :

I have been in conversation with the doctor who is treating our deformed child at the Cripples Orthopaedic Hospital at — and she says it is extremely desirable that I should undergo this operation. If you require any more medical support of my appeal I feel sure I could get our District Medical Officer of Health to support me. I shall be glad to hear that you have been able to arrange this successfully, for my wife nearly lost her life over this last baby. This has strengthened my determination to get this done if possible, as the doctor said it would be dangerous for her to have any more children. I append a few notes of my deformity.

In both hands all the fingers were webbed together with an extra finger on each hand, an extra metacarpal bone on each hand, rudimentary thumbs on each. I have one finger separated on left hand and three divisions made on right hand. Legs normal from hip to knee. Leg and foot bones considerably malformed. There were six metatarsals on each foot and two supernumerary toes on each.

It would thus seem difficult to find a better candidate for eugenic sterilization than this man. He suffers from a transmissible skeletal deformity; he has had six children and in any circumstances would probably want no more; his wife nearly died at the last confinement and his plea for sterilization was supported by the doctor who was treating his child and [as later transpired] by the Medical Officer of Health of his district, who was unable to get the operation performed locally. I therefore wrote to a surgeon on the staff of a big voluntary hospital, who had done a number of therapeutic vasectomies, and received a reply from which the following is an extract :

I felt in regard to this question, that in one's position on the staff of a voluntary hospital, one is in the position of being a servant of the governors, and that therefore I should discuss the matter with the Superintendent. I have seen the latter, and his view, with which I must say I agree, is that in the present position of the law one would not be justified in undertaking an operation, which might possibly become the subject of legal action, in a hospital bed, and that further, certain supporters who might be against the

principles involved could reasonably object on the ground of its doubtful legality.

I therefore feel, much as I agree with your views, that until your Act is passed, as I hope it will be—one would not be justified in doing this operation in a public hospital.

Further attempts were made to get this man sterilized in voluntary hospitals in London without success. I therefore wrote to Dr. C. J. Bond, who made arrangements to have the patient sterilized at Leicester provided he could pay the private hospital fee. I communicated this offer to the patient who replied in a letter of which the following is an extract :

I am very much afraid I shall not be able to take advantage of Dr. Bond's very kind offer. To put my position plainly, I have barely enough money coming in to live on and it is only with the assistance of the relieving officer that we have had enough the past six months. Had the Guardians' Institution Hospital here been equipped with an operating theatre I could have gone in there and had it done. But it is only a small place and they have to send serious cases to hospitals outside this area. I am not insured under the National Health Insurance, so I could not get any help from them. I have had my railway fare promised to anywhere where I can get this operation done, and that is all I can promise definitely.

The necessary funds were then raised by a small private appeal, and the patient was sterilized at Leicester on February 3rd, 1931, with very satisfactory results.

This case illustrates what is surely an injustice in the present state of the law. There is no serious obstacle to prevent a person getting himself voluntarily sterilized if that person can afford to pay surgeon's fees. In these circumstances the operation is quietly performed by the surgeon on his own responsibility, without his being accountable to any higher authority. But a surgeon who would be willing to do the operation privately could not well perform it in one of his beds in a general hospital. When he operates upon a patient in a hospital bed, a surgeon is responsible for his actions to the governors of the hospital. For obvious reasons the policy of these must be cautious and conservative. They cannot risk having actions brought against them,

and they cannot afford to alienate the sympathies of potential subscribers who may not see the justification for the measure taken.

The result of this state of affairs is that the well-to-do person who can afford to pay surgeon's fees can, without difficulty, get himself sterilized on eugenic or other grounds, and the operation is to-day frequently performed on such persons. For the poor person, however, who cannot afford these fees, there are apparently insuperable obstacles in the way. Thus the conditions alleged to exist in regard to birth control obtain here with added force. Advocates of birth control who desire to obtain support for the establishment of birth-control clinics or for municipal action being taken to provide birth-control facilities for the needy, have found that the most effective appeal which they can make to poor people is to demand that the facilities available for the rich should also be made accessible to the poor. The case above quoted shows that a similar or even stronger appeal could be made on behalf of legalizing voluntary eugenic sterilization.

Disagreement on the Legal Aspects

In January 1931 Mr. Havelock Ellis sent to the Editor a memorandum in which he expressed his disagreement with the policy of this *Society* in attempting to legalize eugenic sterilization, on the following grounds :

The laws against maiming were framed long before the sterilizing operation in its modern form came into existence, and are wholly inapplicable to this procedure when undertaken voluntarily by persons of sound mind. (This argument, Mr. Ellis points out, probably does not hold of mental defectives.) By demanding the legalization of voluntary eugenic sterilization, therefore, the impression will be created that this procedure is now illegal, and the useful employment of the measure will be much curtailed. In the unlikely event, moreover, of the *Society* being successful in securing the legalization of voluntary eugenic sterilization, the operation

would probably be hedged around with so many difficulties and restrictions that its usefulness would again be much curtailed, "As happens in some American States, sterilization, by being legalized, is itself sterilized out of existence."

The alternative proposed by Mr. Ellis is, in his own words, as follows :

To me it seems that, instead of spreading abroad opinions rather opposed to sterilization, the *Society* would take a more helpful attitude by letting it be clearly known that, while there are still some differences of opinion about the desirability of voluntary sterilization, the *Society* is strongly in favour of its advantages in some conditions, and that if the surgeon's act is called in question the *Society* is prepared (after being satisfied as to the circumstances of the case) to come to his aid with moral and legal (and financial?) support. It seems to me highly improbable that voluntary sterilization will ever be called in question. It would become even more improbable were it known that the surgeon has an influential *Society* behind him. It should be made a condition of support that the surgeon in question is *already* a member of the *Society*.

Such an attitude would be rather similar to that of the Society of Authors, and the Medical Defence Association. It would prove the reality of the *Society's* faith in its own policy, and bring fresh honour and support to the *Society*.

To deal with *defectives under control* is a definite and separate question and probably requires an enabling Act. The objection raised against such a Bill (as well as against the draft Bill in its present form) would be that it is "class legislation," and it is not likely to appeal to the Labour Party. It is necessary to make clear that the object of the Bill is not to inflict a deprivation on the poor, but to confer a blessing already enjoyed by the rich.

Another circumstance which pointed to the desirability of limiting the Bill to mental defectives alone was the opinion of Major A. G. Church, who has promised to introduce the Bill under the ten minutes' rule. In view of the limited time available for dealing with so controversial a subject as this, Major Church would like to present a short, compact Bill, setting forth as strong a case as possible. His feeling was shared by a group of Members of Parliament who recently considered the *Society's* proposals.

To these a policy then under consideration was outlined, namely that the sterilization of defectives be legalized by Act of Parliament, while the legality of persons of sound mind undergoing voluntary sterilization might be established by a test case. As providing a good subject for such a test case, the predicament of the man above described was explained. It was surprising to find that the bulk of the Members present were quite unimpressed. They argued that the man in question had had five normal children. If he had been sterilized at the beginning of his reproductive life, the nation would have been deprived of valuable children. (It will be recalled that it was the sixth child who inherited the deformity.) Several of the Members, in fact, stated that while they would willingly support a Bill to legalize the sterilization of defectives, they would certainly not support a Bill to legalize the sterilization of people like the one described. Similar views were also expressed by members of the Medical Committee of the House of Commons on a previous occasion.

For these reasons it has been decided to limit the scope of the Bill to mental defectives alone. By this it is by no means implied that the Sterilization Committee has abandoned the view, set forth on page 33 of the second edition of the buff pamphlet, that the wider Bill expresses the ideal eugenic requirements. Indeed the Committee holds that the legalizing of the voluntary sterilization of persons of *sound* mind, but who suffer from hereditary afflictions, will have greater eugenic value than will the restricted Bill. It thinks, however, that public opinion requires further education before there is any chance of these wider measures being favourably received in the House of Commons.

C. P. BLACKER.

War and Eugenics

"The difference between war and peace is that in times of peace the sons bury their fathers, while in times of war the fathers bury their sons."—BACON, quoted in the *Journal of Heredity*, September, 1930.